

Entered - 12-29-99 - sb
CL 99L0879 - GWENDOLYN BURNS

CLAIM OF: **VALERIA BROWN**
through her attorney
Diane Morrell McLeod
31 West Congress Street
Suite 201-A
Savannah, Georgia 31401

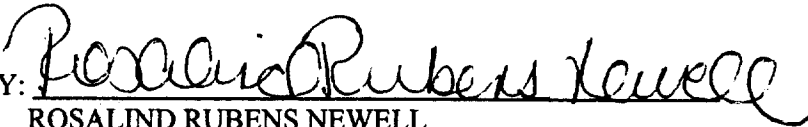
01- *R*-0553

For bodily injuries alleged to have been sustained as a result of an automobile accident on November 26, 1999 at Brownsmill Road & Springside Drive.

**BY PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE:**

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **VALERIA BROWN, through her attorney Diane Morrell McLeod**, the sum of **\$1,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for bodily injuries alleged to have been sustained as a result of an automobile accident on November 26, 1999 at Brownsmill Road & Springside Drive as is more particularly set forth in the within claim; said sum taken from and charged to account 2H01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0879

Date: March 26, 2001

Claimant /Victim VALERIA BROWN
BY: (Atty) (Ins. Co.) Diane Morrell McLeod, Attorney
Address: 31 West Congress Street, Suite 201A, Savannah, Georgia 31401
Subrogation: Claim for Property damage \$ Bodily Injury \$ 5,000.00
Date of Notice: 12/21/99 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 11/26/99 Place: Brownsmill Road and Springside Drive
Department AVIATION Division:
Employee involved Darius West Disciplinary Action: 3-day suspension

NATURE OF CLAIM: Claimant sustained bodily injuries when the vehicle in which she was driving was struck by a City vehicle that "failed to yield while entering a roadway". The City employee was cited for same.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver X Claimant Driver

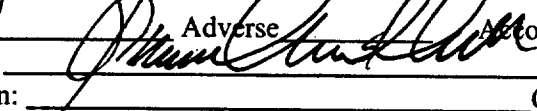
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other Damages reasonable
City not involved Offer rejected Compromise settlement X
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 1,000.00 Adverse Account charged: 1A01 2J01 2H01 X
Claims Manager:  Concur/date 03-29-01
Committee Action: Council Action

LAW OFFICES OF TEE OKONKWO, P.C.

TELEPHONE: (404) 222-0238
TELECOPIER: (404) 681-5800
E-MAIL: TEEKONKWO@AOL.COM

RECEIVED DEC 21 1999

960 MARTIN LUTHER KING, JR. DRIVE
SUITE B
ATLANTA, GEORGIA 30314

December 17, 1999

Cherry Butler, Adjuster
City of Atlanta
Claims Dept.
68 Mitchell St.
Suite 4100
Atlanta, Georgia 30335

ENTERED - 12-29-99 - SB
99L0879 - GWEN BURNS

BURNS
12/28/99
Du

Certified Mail

Re: Notification of Claim Pursuant To
O.C.G.A. Section 36-33-5, Notice of Legal
Representation and Demand For Disclosure of
Insurance Coverage Under The Official Code of
Georgia Annotated Section 33-3-28(a)(2).

My injured client : Valeria Brown
Your insured driver : Darius West
Date of wreck : 11/26/99

Dear Ms. Butler:

Please be advised that I have been hired to represent Valeria Brown for her claims against your insured driver Darius West, for damages my client sustained in a car wreck on the 26th of November, 1999.

Any future communications to my client should be done through me.

Pursuant to O.C.G.A. 33-3-28(a)(2), you are hereby requested to provide to me within thirty(30) days of the date of this certified letter or by January 17, 2000, the following information regarding any insurance policy that may provide coverage for the claims asserted in this letter:

1. Each policy of insurance including excess or umbrella insurance;
2. Name of the insurer;
3. Name of each insured; and
4. Limits of coverage.

I look forward to receiving this information on your insurance policy coverage. Thank you for your help and cooperation in this case. I look forward to working with you.

Yours truly,

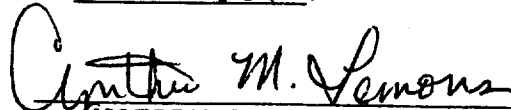

TEE OKONKWO

cc: Valeria Brown

TO/cl

Sworn to and subscribed

before me this 17th day
of December, 1999.


NOTARY PUBLIC

My ~~Notary Public, DeKalb County,~~ expires:

Georgia
My Commission Exp. June 03, 2002

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 99L0879

\$ 1,000.00

IN CONSIDERATION of the sum of ONE THOUSAND DOLLARS AND NO/100 DOLLARS, to be paid by the CITY OF ATLANTA, the future receipt of which is hereby acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever discharge said City, its officers and employees, including but not limited to Darius West from any and all claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or on account of anything that has heretofore occurred, and particularly for or on account of a vehicular accident which occurred on or about the 26 day of November, 1999, at or near Brownsmill Road & Springside Drive

It is further understood and agreed that the payment of the above named sum is not to be considered as an admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents, servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers, agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this instrument.

WITNESS my hand and seal this 15th day of March, 2001

Valerie Brown (L.S.)
Valerie Brown

Diane Morrell McLeod (L.S.)
Diane Morrell McLeod, attorney for claimant

The above release was read and explained to, and signed by the said Valerie Brown in our presence on the date above written.

Roslyn Rowland
WITNESS
ROSLYN ROWLAND
COMMISSION EXPIRES
SEPT 24 2002
GWINNETT COUNTY, GEORGIA
NOTARY PUBLIC

01-R-0553